

Appendix E

Cultural Resources Study



Saddle Crest Homes

Phase I Cultural Resources Study

DRAFT

Prepared for:

Rutter Santiago LP
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Irvine CA 92614

January 2012

Prepared by:

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Los Angeles, CA 90017



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Project Site Location:

Township 5 S, Range 7 W, Sections 32 and 33
El Toro and Santiago Peak (CA) USGS 7.5'
Topographic Quads

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EXECUTIVE SUMMARY

ESA is preparing an Environmental Impact Report (EIR) for the Saddle Crest Homes Project (Project). Rutter Santiago, LP, proposes the development of 65 single-family homes on a 113.7-acre site in unincorporated Orange County. Orange County is the lead agency pursuant to the California Environmental Quality Act (CEQA). The Project area is located within Section 32 and the west half of the northwest quarter of Section 33, Township 5 South, Range 7 West, S.B.B.M. This report has been prepared in compliance with CEQA and documents the results of a Phase 1 Cultural Resources Study.

A records search for the Project was conducted on August 24, 2011 at the South Central Coastal Information Center (SCCIC). A total of 19 cultural resources have been previously recorded within ½ mile of the Project area, including four historic-period architectural resources, one isolated artifact, and fourteen archaeological sites. Ten of the archaeological sites are prehistoric in age and consist primarily of artifact scatters; three archaeological sites date to the historic period and consist of the remains of an adobe and two historic clay mines; and one resource is a potential archaeological site consisting of a water-filled cavern. Of these 19 resources, six (CA-ORA-1250, CA-ORA-1516, CA-ORA-1521, CA-ORA-1522, CA-ORA-1523, and P-30-176629) are located within the Project area.

A Sacred Lands File search conducted by the Native American Heritage Commission (NAHC) on August 23, 2011 did not indicate the presence of Native American cultural resources within ½ mile of the Project. Follow-up contact was made by letter with all individuals and groups indicated by the NAHC as having affiliation with the Project area to solicit further information concerning cultural resources in vicinity of the Project. To date, two responses have been received, from Mr. Robert Dorame of the Gabrielino Tongva Indians of California Tribal Council and Mr. Alfred Cruz of the Juaneño Band of Mission Indians. Mr. Dorame emphasized the sensitivity of the Project area, and Mr. Cruz requested more information on the project.

The Project area was surveyed on September 22 and 23, 2011, and January 12, 2012. One new resource, prehistoric isolate SC-ISO-1, and three previously recorded resources, CA-ORA-1521, CA-ORA-1523, and P-33-176629, were recorded within the Project area. Previously recorded resources CA-ORA-1250, CA-ORA-1516, and CA-ORA-1522 were not relocated. Four of the resources (CA-ORA-1250, CA-ORA-1521, CA-ORA-1523, and P-30-176629) have been evaluated as not eligible for listing in the California Register and as not otherwise qualifying as an historical resource or unique archaeological resource pursuant to §15064.5. Sufficient data was not able to be gathered to evaluate the significance of two archaeological resources, CA-ORA-1516 and CA-ORA-1522.

It is recommended that if they will be impacted by the Project, sites CA-ORA-1516 and CA-ORA-1522 be relocated and evaluated following clearance of vegetation. Archaeological monitoring of all ground-disturbing activities by a qualified archaeologist within the Project area, in areas where the slope does not exceed 45 percent, is recommended. Further, in the event that previously unidentified archaeological or Native American resources are uncovered during Project implementation, all work should cease in the vicinity of the find until it can be evaluated

by a qualified archaeologist. If human remains are encountered unexpectedly during construction, Health and Safety Code Section 7050.5 should be implemented.

SADDLE CREST HOMES

Phase I Cultural Resources Study

Introduction

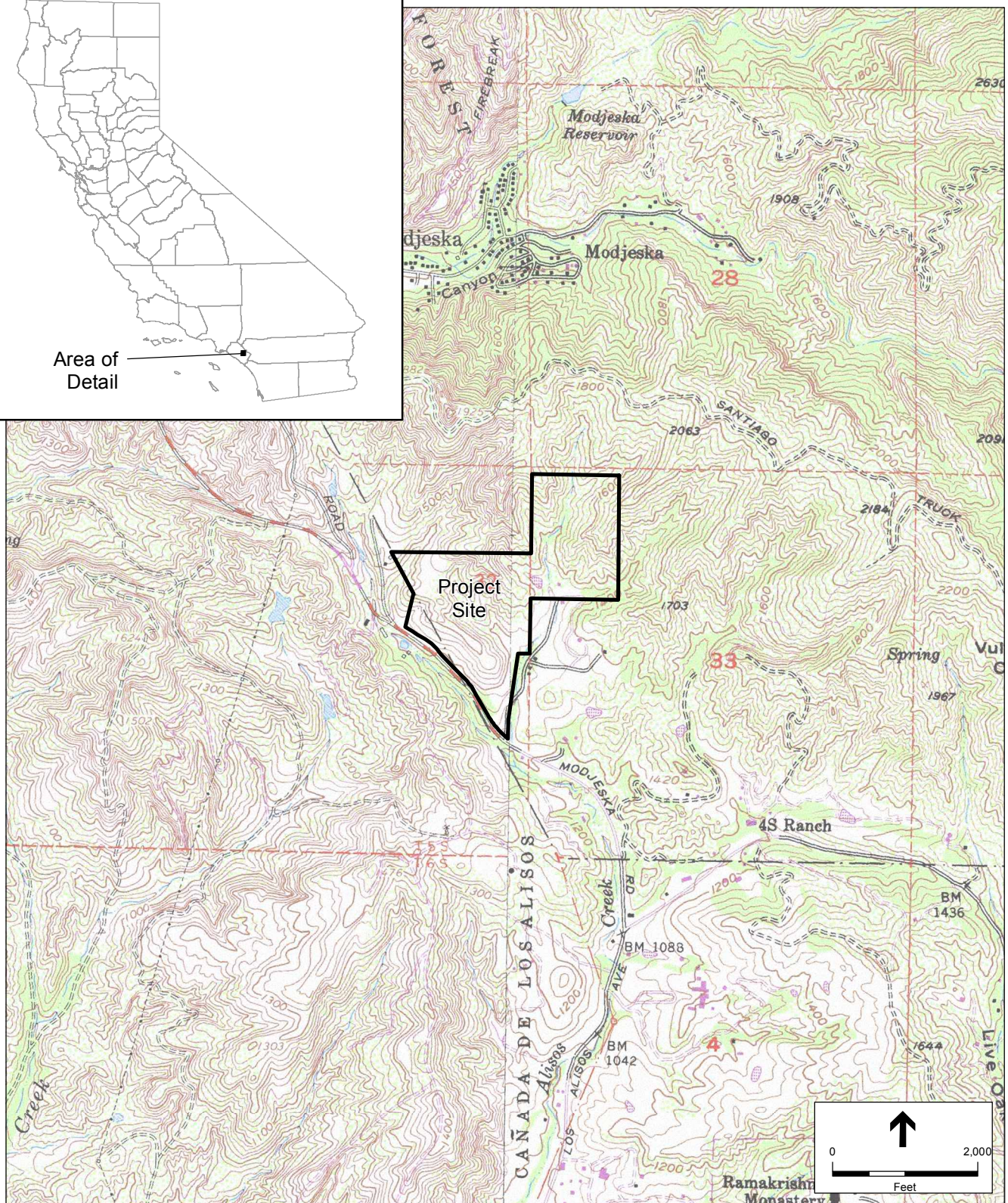
ESA is preparing an Environmental Impact Report (EIR) for the Saddle Crest Homes Project (Project). Rutter Santiago, LP (applicant), proposes the development of 65 single-family homes on a 113.7-acre site in unincorporated Orange County. Orange County is the lead agency pursuant to the California Environmental Quality Act (CEQA).

This report has been prepared in compliance with CEQA and documents the results of a Phase 1 Cultural Resources Study. ESA personnel involved in the preparation of this report are as follows: Madeleine Bray, M.A., R.P.A., surveyor and report author; Jon Spenard and Jonathon Dubois, surveyors, and Monica Strauss, M.A., R.P.A., report reviewer. The author's resume is included in Appendix A.

Project Location

The Saddle Crest Homes project site is located in unincorporated Orange County north of the junction of Live Oak Canyon Road with El Toro Road and east of Santiago Canyon Road. The Project area is located within Section 32 and the west half of the northwest quarter of Section 33, Township 5 South, Range 7 West, San Bernardino Baseline and Meridian (Figures 1 and 2). The cities of Lake Forest, Mission Viejo and Rancho Santa Margarita are located to the south; the Foothill Ranch and Portola Hills Planned Communities and the Whiting Ranch Wilderness Park and Limestone Canyon Regional Park are located to the west; the Cleveland National Forest is located to the east; and, the Silverado and Modjeska canyon areas and the Cleveland National Forest are located to the north.

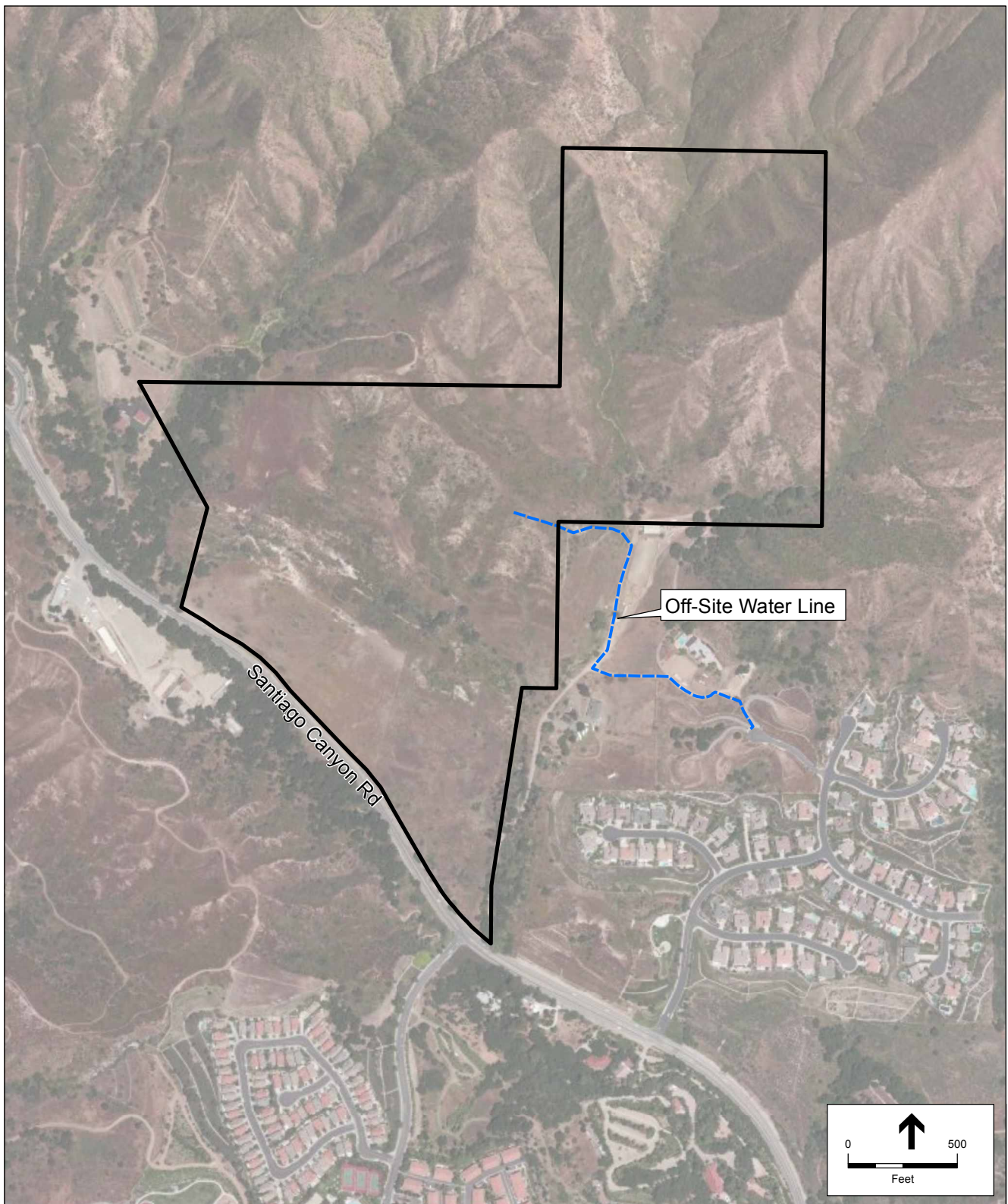
For the purposes of this report, the Project area is divided into two parcels: a 47-acre rectangular-shaped northeastern parcel and an irregularly shaped 67-acre southwestern parcel. These two parcels adjoin at the southwestern corner of the northeastern parcel and northeastern corner of the southwestern parcel.



SOURCE: USGS

Saddle Crest Homes . 211454

Figure 1
Regional Location



SOURCE: USGS

Saddle Crest Homes . 211454

Figure 2
Project Location

Project Description

The proposed project includes the development of 65 single-family homes on lots with an average size of nearly 20,000 square feet on the approximately 113-acre site. The homes proposed under the proposed project would be semi-custom and it is anticipated that they would be developed/constructed in groups of 15 until the project site is built out, beginning in the southern portion of the site, near the entrance on Santiago Canyon Road. The proposed project focuses development on the portion of the Project area contiguous to Santiago Canyon Road and concentrates open space on the remainder of the project site to create a buffer between residential uses and the canyon areas to the north, and thereby reduce or avoid potential environmental impacts.

Approximately 70 percent of the project site is proposed to remain open space (including remedial grading, revegetated areas, water quality basins, and fuel modification zones). The project includes dedication of approximately 51 acres of the northeastern portion of the site to the County for open space purposes, and a conservation easement may be placed over this open space area. In addition, the proposed project would avoid development within a 3.9-acre wildlife corridor in the northwestern portion of the project site, which would be preserved through an open space conservation easement.

The proposed project includes an above-ground water tank (to be located in the northern portion of the project site). An on-site water pump station would be required to supply water to the project's on-site reservoir. An alternative to the on-site water pump station would entail upgrades to the existing Topanga Booster Station, including a 12-inch waterline extension to the project site to supply the reservoir (Figure 2).

Non-Clustered Scenario

In addition to the proposed project, the Draft EIR includes evaluation of the non-clustered scenario, which also includes 65 single-family homes. The non-clustered scenario establishes housing sites and open space interspersed across the entire project, and not clustered like the proposed project. Under the non-clustered scenario, the homes would be custom and it is anticipated that they would be built in groups of five homes every six months until the project site is built out. Construction of homes under the non-clustered scenario would be determined by individual buyers and are anticipated to occur in a more scattered pattern.

Similar to the proposed project, approximately 66 percent of the site would remain as open space (including remedial grading, revegetated areas, water quality basins, and fuel modification zones). However, open space would be distributed throughout the project site, as opposed to being concentrated mainly in the northeastern portion. The non-clustered scenario would not include a dedication of acreage to the County of Orange for open space purposes. The open space that would be provided in the non-clustered scenario would be fragmented adjacent to each residential lot.

Similar to the proposed project water service would be provided by TCWD through either an above-ground tank or connection to existing or new improvements in Santiago Canyon Road.

Construction Impacts

Proposed Project

Construction activities would occur in the following phases: (1) site clearing and grading; (2) construction of roadways, utilities and finished lots; and (3) construction of homes. It is anticipated that the proposed project would require approximately 1.9 million cubic yards of excavation and would be balanced on-site.

Construction of the proposed project is anticipated to begin the second quarter of 2013, with the first two phases being completed by the last quarter of 2013. Phase 1 of construction would occur over Month 1 through Month 6, with Phase 2 beginning during Month 4. Phase 3 which includes the construction of homes would begin the first quarter of 2014, with an average of 15 homes being constructed every six months, starting with lots located in the southern portion of the site and working north. The proposed project is anticipated to be completed by 2016. However, this is dependent on economic factors at the time of construction.

Non-Clustered Scenario

Construction activities for the non-clustered scenario would be similar to those described for the proposed project and include the same three phases. It is anticipated that the non-clustered scenario would require approximately 725,000 cubic yards of excavation and would require an additional 78,500 cubic yards of soil to balance the site. Daily excavation would not exceed 8,000 cubic yards. It is anticipated that the imported soils would be obtained from Brea landfill.

Construction of the non-clustered scenario would also begin in the second quarter of 2013, with the first two phases being completed by the last quarter of 2013. Similar to the proposed project, Phase 1 of construction would occur over Month 1 through Month 6, with Phase 2 beginning during Month 4. Under the non-clustered scenario, construction of homes (Phase 3) would begin the first quarter of 2014, with an average of five homes being constructed every six months. As the non-clustered scenario would be all custom homes, development would be scattered depending on the needs of the individual homebuyer. The non-clustered scenario is anticipated to be completed by mid-2020. However, similar to the proposed project, this is dependent on economic factors at the time of construction.

Setting

Natural Setting

The topography of Orange County includes a combination of mountains, hills, flatlands, and shorelines. Orange County lies predominantly on an alluvial plain, which is generally less than 300 feet in elevation in the west and central section. The western portion of the County is made up of a series of broad sloping plains (Downey and Tustin Plains) formed from alluvium transported from the mountains by the Santa Ana River, Santiago Creek, and other local streams. Several low-lying mesas interrupt the plains along the northern coast. Orange County is semi-enclosed by the Puente and Chino Hills to the north, the San Joaquin Hills to the south, and the Santiago Foothills and the Santa Ana Mountains to the east. The Puente and Chino Hills, which identify the northern limit of the plains, extend for 22 miles and reach a peak height of 7,780 feet. To the east and southeast of the plains are the Santa Ana Mountains, which have a peak height of 5,691 feet.

The Project area is located in the foothills of the Santa Ana Mountains. The topography of the project site generally consists of moderately steep ridges and narrow valleys and canyons. Slopes exceed 35 percent over the majority of the Project area. The highest point is at an elevation of about 1,800 feet on a ridge at the northeast corner of the site and the lowest point is at an elevation of about 1,200 feet at the southeastern tip of the parcel. Surface soils on site include undocumented artificial fill, colluviums alluvium, terrace deposits, and landslide debris. These relatively shallow deposits of soil overlie bedrock of the Santiago, Silverado, Williams and Ladd Formations.

The southwestern parcel of the Project area is characterized by two northwest-southeast trending ridges, joined at their western (upper) ends by a saddle. A narrow canyon divides the ridges. A north-south trending, blue line stream, part of the Aliso Creek drainage, traverses the northeastern parcel and drains south along the eastern edge of the southwestern parcel. A steep canyon surrounds the stream. A spring likely exists within the central stream corridor (Brown and Ferraro, 1999: 4).

Vegetation within the canyons primarily consists of oak woodland or grass and ruderal vegetation. Along the ridges, grass or ruderal vegetation is most common. Sagebrush scrub and chaparral are also found along slopes and ridges. Disturbance due to grazing is evident within the lower elevations of the southern portion of the project site. The majority of the Saddle Crest study area was burned in the October 2007 Santiago Fire.

Prehistoric Setting

The prehistory of the region has been summarized within four major horizons or cultural periods: Early, Millingstone, Intermediate, and Late Prehistoric (Wallace, 1955; Warren, 1968). The Early period covers the interval from the first presence of humans in southern California until post-glacial times. Occupation of the southern California mainland dates to approximately 10,000

years before present (BP). The first inhabitants were likely maritime adapted groups, exploiting the marine resources of the region.

The Early period is followed by the Millingstone period, which dates to between approximately 8,000 to 3,000 BP. The transition from the Early period to the Millingstone period is marked by an increased emphasis on the processing of seeds and edible plants. The increased utilization of seeds is evident by the high frequencies of handstones (manos) and milling slabs (metates). Around 5,000 BP, mortar and pestles appear in the archaeological record. Mortars and pestles suggest the exploitation of acorns (Cleland et al., 2007:28).

Millingstone period sites in Orange County generally date to between 8,000 and 4,000 BP. Archaeological evidence suggests a low, stable population centered around semi-permanent residential bases. These sites are located along coastal marine terraces, near the shoreline, bays, and estuaries. Satellite camps were used to take advantage of seasonally available resources. Marine resources were supplemented by seeds and small terrestrial mammals. Later Millingstone period sites indicate a growing reliance on shellfish (Cleland et al., 2007:28).

The Intermediate period dates to between 3,000 to 1,500 BP. Archaeological sites indicate a broader economic base, with increased reliance on hunting and marine resources. An expanded inventory of milling equipment is found at sites dated to this period. Intermediate period sites are characterized by a sharp increase in the mortar and pestle and small projectile points (Cleland et al., 2007:30).

The number of Intermediate period sites in Orange County declined over time. Climate changes and drier conditions led to the congregation of populations near freshwater sources. Settlement patterns indicate greater sedentism, with reduced exploitation of seasonal resources and a lack of satellite camps (Cleland et al., 2007:30). Coastal terrace sites were not reoccupied during this time period. These shifts in settlement and subsistence strategies led to growing population densities, resource intensification, higher reliance on labor-intensive technologies, such as the circular fishhook, and more abundant and diverse hunting equipment. Rises in disease and interpersonal violence, visible in the archaeological record, may be due to the increased population densities.

The Late Prehistoric period began around 1,500 BP and lasted until Spanish contact in 1769. The Late Prehistoric period resulted in the concentration of larger populations in settlements and communities, greater utilization of available food resources, and the development of regional subcultures (Cleland et al., 2007:31). Artifacts from this period include milling implements, as well as bone and shell tools and ornaments.

Ethnographic Setting

The Project is located along the boundary between the Gabrielino and the Juaneño, both Takic-speaking groups. The boundary between the two groups appears to have been along Aliso Creek, with the Juaneño occupying the area south of Aliso Creek, and Gabrielino to the north and west (Brown and Ferraro, 1999:4)

Prior to European colonization, the Gabrielino occupied a diverse area that included the watersheds of the Los Angeles, San Gabriel, and Santa Ana rivers; the Los Angeles basin; and the islands of San Clemente, San Nicolas, and Santa Catalina (Bean and Smith, 1978:538). The Gabrielino were hunter-gatherers and lived in permanent communities located near the presence of a stable food supply and some measure of protection from flooding. Community populations generally ranged from 50-100 inhabitants, although larger settlements may have existed.

The Gabrielino are estimated to have had a population numbering around 5,000 in the pre-contact period (Kroeber, 1925:883). Houses were made of tule mats on a framework of poles (Bean and Smith, 1978:542). Basketry and steatite vessels were used rather than ceramics; ceramics became common only toward the end of the mission period in the nineteenth century. The Gabrielino held some practices in common with other groups in southern California, such as the use of jimsonweed in ceremonies as did the Luiseño and Juaneño, but details of the practices and the nature of cultural interaction between the Gabrielino and other groups in southern California are unknown.

The nearest Gabrielino village to the Project area was *Kengaa* or *Genga*, which was possibly located on Upper Newport Bay (McCawley, 1996: 72). However, other theories place the location of *Kengaa* near the Santa Ana River on the western Newport Mesa (Koerper and Hedges, 1996:215). The village may have been occupied as late as 1830, according to records from Mission San Juan Capistrano (McCawley, 1996:72).

The Juaneño people were so called because of their association with Mission San Juan Capistrano. Some contemporary Juaneño identify themselves by the indigenous term *Acjachemen*. The Juaneño were linguistically and culturally related to the neighboring Luiseño (with whom they are often grouped; see Bean and Shipek, 1978), Cahuilla, and Cupeño. Juaneño territory extended from just above Aliso Creek in the north to San Onofre Canyon in the south and inland to Santiago Peak and the ridges above Lake Elsinore (Bean and Shipek, 1978:550).

The Juaneño lived in sedentary autonomous villages located in diverse ecological zones. Each settlement claimed specific fishing and collecting regions. Typically villages were located in valley bottoms, along coastal strands and streams, and near mountain foothills. Villages were usually sheltered in coves or canyons, on the side of slopes near water and in good defensive spots. No ethnographic Juaneño villages are located near the Project area; the nearest village was most likely *Alume* (or *Aluna*), located on Plano Trabuco at the foot of Santiago Peak (O'Neil and Evans, 1980:229).

Trails, hunting sites, temporary hunting camps, quarry sites and ceremonial and gaming locations were communally owned, while houses, gardens, tools, ritual equipment, and ornamentation were owned by individuals or families (Bean and Shipek, 1978:551). Most groups had fishing and gathering sites along the coast that they visited annually from January to March when inland supplies were scarce. October to November was acorn-gathering time, when most of the village would settle in the mountain oak groves. Houses were conical in form, partially subterranean, covered with thatch, reeds, brush, or bark. Sweathouses were round and earth covered. Each village was enclosed with a circular fence and had a communal ceremonial structure at the center.

Beginning with the Mission Period, Native Americans suffered severe depopulation and their traditional culture was radically altered. Nonetheless, Gabrielino descendants still reside in the greater Los Angeles and Orange County areas and maintain an active interest in their heritage resources.

Historic Setting

Spanish Era (1769-1821)

The first European exploration of Orange County began in 1769 when the Gaspar de Portolá expedition passed through on its way from San Diego to the San Francisco Bay area. A permanent Spanish presence was established with the founding of Mission San Juan Capistrano in 1776 (Hoover et al, 2002:250). The mission was founded to break the long journey from Mission San Diego to Mission San Gabriel (near Los Angeles). A large, ornate church was constructed at the mission between 1797 to 1806, but was destroyed only six years later in an earthquake. The church was not rebuilt.

In an effort to promote Spanish settlement of Alta California, Spain granted several large land concessions from 1784 to 1821. At that time, Spain retained title to the land; individual ownership of lands in Alta California was not granted.

Mexican Era (1821-1846)

In 1821, Mexico won its independence from Spain. Mexico continued to promote settlement of California with the issuance of land grants. In 1833, Mexico secularized the missions, reclaiming the majority of mission lands and redistributing them as land grants (Starr, 2007:47). Ranchos continued to be used for cattle grazing by settlers. Hides and tallow from cattle became a major export for *Californios* (Hispanic Californians), many of whom became wealthy and prominent members of society. These Californios led generally easy lives, leaving the hard work to *vaqueros* (Hispanic cowhands) and Indian laborers.

American Era (1846 to present)

Mexico ceded California to the United States as part of the Treaty of Guadalupe Hildalgo, which ended the Mexican-American War (1846-1848) (Starr, 2007:72). The treaty also recognized right of Mexican citizens to retain ownership of land granted to them by Spanish or Mexican authorities. However, the claimant was required to prove their right to the land before a patent was given. The process was lengthy and costly, and generally resulted in the claimant losing at least a portion of their land to attorney's fees and other costs associated with proving ownership.

The Gold Rush (1849-1855) saw the first big influx of American settlers to California. Most of these settlers were men hoping to strike it rich in the gold fields. The increasing population provided an additional outlet for the Californios' cattle (Bancroft, 1890:103). As demand increased, the price of beef skyrocketed and Californios reaped the benefits.

The culmination of the Gold Rush, followed by devastating floods in 1861 and 1862 and droughts in 1863 and 1864, led to the rapid decline of the cattle industry (Bancroft, 1890:53). Many

Californios lost their lands during this period, and former ranchos were subsequently divided and sold for agriculture and residential settlement.

Following the admission of California into the United States in 1850, the region of modern day Orange County was originally part of Los Angeles County. Orange County was established in 1889, with the City of Santa Ana as County Seat (Armor, 1921:33).

History of the Project area and Vicinity

The area south of the Project area, in the vicinity of the current city of Lake Forest, was a part of the Rancho Cañada de Los Alisos, owned by José Serrano. Other nearby ranchos included Rancho Trabuco, Rancho Mission Viejo, and Rancho Los Potreros los Pinos (Gregory, 1999:13). When the rancho system collapsed after California became an American state, American entrepreneur Dwight Whiting purchases large portions of the former Rancho Cañada de Los Alisos (City of Lake Forest, 2006). The small town of El Toro grew up around Whiting's agricultural industry. In the 20th century, the nearby El Toro Marine Base brought more residents to the area.

The Project area was never part of a Spanish or Mexican land grant, as the steep foothills of the Santa Ana Mountains made poor grazing terrain. However, such areas were often kept for common grazing by neighboring ranchos (Gregory, 1999:13). The first Euro-American resident of Live Oak Canyon (formerly known as Black Oak Canyon and the Harris Grade) was a beekeeper named Henry Pankey, who settled in the area in 1873. By 1879, a small community existed around what is now Trabuco Oaks, and the first permanent schoolhouse was established in 1888. A tin mine attracted settlers to the area in the 1870s, although ultimately the mine was not successful. Live Oak Canyon, Santiago Canyon, and Trabuco Canyon remained primarily rural and agricultural until the early 20th century.

Regulatory Framework

Numerous laws and regulations require federal, state, and local agencies to consider the effects a Project may have on cultural resources. These laws and regulations stipulate a process for compliance, define the responsibilities of the various agencies proposing the action, and prescribe the relationship among other involved agencies (e.g., State Historic Preservation Office and the Advisory Council on Historic Preservation). The National Register of Historic Places (National Register); CEQA; and the California Register of Historical Resources (California Register), Public Resources Code (PRC) 5024, are the primary federal and State laws governing and affecting preservation of cultural resources of national, State, regional, and local significance.

Federal

National Register of Historic Places

The National Register was established by the National Historic Preservation Act (NHPA) of 1966 as “an authoritative guide to be used by federal, State, and local governments, private groups and citizens to identify the Nation’s historic resources and to indicate what properties should be considered for protection from destruction or impairment” (Code of Federal Regulations [CFR] 36 Section 60.2). The National Register recognizes both historical-period and prehistoric archaeological properties that are significant at the national, state, and local levels.

To be eligible for listing in the National Register, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must meet one or more of the following four established criteria (U.S. Department of the Interior, 1995):

- A. Are associated with events that have made a significant contribution to the broad patterns of our history;
- B. Are associated with the lives of persons significant in our past;
- C. Embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. Have yielded, or may be likely to yield, information important in prehistory or history.

Unless the property possesses exceptional significance, it must be at least fifty years old to be eligible for National Register listing (U.S. Department of the Interior 1995).

In addition to meeting the criteria of significance, a property must have integrity. Integrity is defined as “the ability of a property to convey its significance” (U.S. Department of the Interior 1995). The National Register recognizes seven qualities that, in various combinations, define integrity. To retain historic integrity a property must possess several, and usually most, of these seven aspects. Thus, the retention of the specific aspects of integrity is paramount for a property

to convey its significance. The seven factors that define integrity are location, design, setting, materials, workmanship, feeling, and association.

State

The State implements the NHPA through its statewide comprehensive cultural resources surveys and preservation programs. The California Office of Historic Preservation (OHP), as an office of the California Department of Parks and Recreation, implements the policies of the NHPA on a statewide level. The OHP also maintains the California Historic Resources Inventory. The State Historic Preservation Officer (SHPO) is an appointed official who implements historic preservation programs within the State's jurisdictions.

California Register of Historical Resources

The California Register is "an authoritative listing and guide to be used by State and local agencies, private groups, and citizens in identifying the existing historical resources of the State and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change" (California PRC Section 5024.1[a]). The criteria for eligibility for the California Register are based upon National Register criteria (California PRC Section 5024.1[b]). Certain resources are determined by the statute to be automatically included in the California Register, including California properties formally determined eligible for, or listed in, the National Register.

To be eligible for the California Register, a prehistoric or historic-period property must be significant at the local, State, and/or federal level under one or more of the following four criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important in prehistory or history.

A resource eligible for the California Register must meet one of the criteria of significance described above, and retain enough of its historic character or appearance (integrity) to be recognizable as a historical resource and to convey the reason for its significance. It is possible that a historic resource may not retain sufficient integrity to meet the criteria for listing in the National Register, but it may still be eligible for listing in the California Register.

Additionally, the California Register consists of resources that are listed automatically and those that must be nominated through an application and public hearing process. The California Register automatically includes the following:

- California properties listed on the National Register and those formally Determined Eligible for the National Register;

- California Registered Historical Landmarks from No. 770 onward; and,
- Those California Points of Historical Interest that have been evaluated by the OHP and have been recommended to the State Historical Commission for inclusion on the California Register.

Other resources that may be nominated to the California Register include:

- Historical resources with a significance rating of Category 3 through 5 (those properties identified as eligible for listing in the National Register, the California Register, and/or a local jurisdiction register);
- Individual historical resources;
- Historical resources contributing to historic districts; and,
- Historical resources designated or listed as local landmarks, or designated under any local ordinance, such as an historic preservation overlay zone.

California Environmental Quality Act

CEQA is the principal statute governing environmental review of projects occurring in the State and is codified at PRC Section 21000 et seq. CEQA requires lead agencies to determine if a proposed project would have a significant effect on the environment, including significant effects on historical or archaeological resources.

Under CEQA (Section 21084.1), a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. The *CEQA Guidelines* (Title 14 California Code of Regulations [CCR] Section 15064.5) recognize that an historical resource includes: (1) a resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register; (2) a resource included in a local register of historical resources, as defined in PRC Section 5020.1(k) or identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); and (3) any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California by the lead agency, provided the lead agency's determination is supported by substantial evidence in light of the whole record. The fact that a resource does not meet the three criteria outlined above does not preclude the lead agency from determining that the resource may be an historical resource as defined in PRC Sections 5020.1(j) or 5024.1.

If a lead agency determines that an archaeological site is a historical resource, the provisions of Section 21084.1 of CEQA and Section 15064.5 of the *CEQA Guidelines* apply. If a project may cause a substantial adverse change (defined as physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired) in the significance of an historical resource, the lead agency must identify potentially feasible measures to mitigate these effects (*CEQA Guidelines* Sections 15064.5(b)(1), 15064.5(b)(4)).

If an archaeological site does not meet the criteria for a historical resource contained in the *CEQA Guidelines*, then the site may be treated in accordance with the provisions of Section 21083, which is a unique archaeological resource. As defined in Section 21083.2 of CEQA a “unique” archaeological resource is an archaeological artifact, object, or site, about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information;
- Has a special and particular quality such as being the oldest of its type or the best available example of its type; or,
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

If an archaeological site meets the criteria for a unique archaeological resource as defined in Section 21083.2, then the site is to be treated in accordance with the provisions of Section 21083.2, which state that if the lead agency determines that a project would have a significant effect on unique archaeological resources, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place (Section 21083.1(a)). If preservation in place is not feasible, mitigation measures shall be required.

The *CEQA Guidelines* note that if an archaeological resource is neither a unique archaeological nor a historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment (*CEQA Guidelines* Section 15064.5(c)(4)).

Local

Orange County General Plan

The Orange County General Plan (2011) contains the following relevant goals, objectives and policies pertaining to cultural resources:

Goal 2: To encourage through a resource management effort the preservation of the county's cultural and historic heritage.

Objectives

2.1 Promote the preservation and use of buildings, sites, structures, objects, and districts of importance in Orange County through the administration of planning, environmental, and resource management programs.

2.2 Take all reasonable and proper steps to achieve the preservation of archaeological and paleontological remains, or their recovery and analysis to preserve cultural, scientific, and educational values.

2.3 Take all reasonable and proper steps to achieve the preservation and use of significant historic resources including properties of historic, historic architectural, historic archaeological, and/or historic preservation value.

2.4 Provide assistance to County agencies in evaluating the cultural environmental impact of proposed projects and reviewing EIRs.

2.5 Provide incentives to encourage greater private sector participation in historic preservation.

Policies

The following policies addressing archaeological, paleontological, and historical resources shall be implemented at appropriate stage(s) of planning, coordinated with the processing of a project application, as follows:

- Identification of resources shall be completed at the earliest stage of project planning and review such as general plan amendment or zone change.
- Evaluation of resources shall be completed at intermediate stages of project planning and review such as site plan review, subdivision map approval, or at an earlier stage of project review.
- Final preservation actions shall be completed at final stages of project planning and review such as grading, demolition, or at an earlier stage of project review.

Archaeological Resources Policies:

1. To identify archaeological resources through literature and records research and surface surveys.
2. To evaluate archaeological resources through subsurface testing to determine significance and extent.
3. To observe and collect archaeological resources during the grading of a project.
4. To preserve archaeological resources by:
 - a) Maintaining them in an undisturbed condition, or
 - b) Excavating and salvaging materials and information in a scientific manner.

The Project area is classified as sensitive for prehistoric archaeological resources (figure VI-10, pg VI-114).

Archival Research

Records Search

A records search for the Project was conducted on August 24, 2011 at the South Central Coastal Information Center (SCCIC) housed at California State University, Fullerton. The records search included a review of all recorded archaeological sites within a 1/2-mile radius of the Project area, as well as a review of cultural resource reports on file. In addition, the California Points of Historical Interest (PHI), the California Historical Landmarks (CHL), the California Register, the National Register, and the California State Historic Resources Inventory (HRI) listings were reviewed for properties within or adjacent to the Project area.

The records search indicated that a total of 36 cultural resources studies have been conducted within a 1/2-mile radius of the Project area. Approximately 75 percent of the 1/2-mile radius records search area has been included in a past study. Of these 36 studies, eight included portions of the Project area. The entire Project area appears to have been included in past cultural resources studies. The following paragraphs summarize the major past studies of the Project area.

Bissell (1982, 1983) surveyed a portion of the southwestern parcel. He noted the presence of the Schoeppe and Serrano mines, but did not formally record them. He also noted an isolated flake and groundstone fragment, a third mining site, and a possible historic site, none of which were formally recorded or mapped.

Brown (1990) performed a survey of the same portion of the southwestern parcel and noted the same three mining sites that Bissell had found in 1982, but again did not formally record them as they were considered “not significant”. Brown also recorded site CA-ORA-1250.

In 1999, Brown and Ferraro (1999) performed an archaeological survey of the entire Saddle Crest Project area, in addition to a larger area to the southeast (Saddle Creek). They noted that the northeastern parcel and the northwestern third of the southwestern parcel had recently burned in a wildfire, and thus the surveyors had good visibility in these areas. The survey resulted in the formal recording of the Schoeppe and Serrano clay mines (CA-ORA-1521 and CA-ORA-1523), along with a prehistoric lithic scatter (CA-ORA-1522), a possible prehistoric site consisting of a water-filled cave (CA-ORA-1516), and a historic-era site (P-30-176629; recorded in detail by Gregory [1999]). They also relocated site CA-ORA-1250, previously recorded by Brown (1990).

Table 1
Previous Cultural Resources Investigations Conducted within ½ Mile of the Project Area

Author	SCCIC # (OR-)	Title	Date
Ahlering, Michael L.	00571	Report of Findings of a Scientific Resources Survey and Study: Conducted on a Portion of the Whiting Ranch, Orange County, California	1973
Anonymous	00580	The Aliso Creek Watershed, Orange County, California a Proposal for Creating' an Archaeological District for the National Register of Historic Places and a Suggested Research and Study Design	1977
Anonymous	00515	Archaeological Investigations and Management Recommendations for the Glenn Ranch	1980
Anonymous	00498	Cultural Resources Report on the Cooks Corner Planned Commercial Center	1980
Bean, Lowell	00286	Cultural Resources and the High Voltage Transmission Line From San Onofre to Santiago Substation and Black Star Canyon	1979
Becker, Kenneth M.	01378	Cultural Resources Reconnaissance of the Proposed Irvine Ranch Water District Zone Reservoir and Transmission Main, Orange County, California	1994
Bissell, Ronald M.	00631*	Cultural Resources Survey, Country Home Road Properties, Santiago Canyon Road, Orange County, California	1982
Bissell, Ronald M.	00656*	Cultural Resources Survey, Country Home Road Properties (shefflette/carisoza/buckley, Lyon, Watson and 4s Ranch Parcels, Santiago and Live Oak Canyon Roads, Orange County, California	1983
Breece, Bill and Beth Padon	00648*	Cultural Resource Survey: Archaeological Resources: Foothill Transportation Corridor, Phase II	1982
Billat, Lorna	03522	New Tower ("NT") Submission Packet FFC Form 620, Project Name: Parker, Project Number: LA0883B	2009
Brown, Joan C.	01042*	Cultural Resources Reconnaissance of a 53.2 Acre Portion of the Panter Ranch Santiago Canyon, Orange County, California	1990
Brown, Joan C.	01838	Cultural Resources Reconnaissance of the Proposed Irvine Ranch Water District Zone 9 Reservoir and Transmission Main, Orange County, California	1994
Brown, Joan C.	01536	Archaeological Reconnaissance for the Whiting Zone 9 Reservoir and Transmission Main, Orange County, California	1995
Brown, Joan C.	01545	Archaeological Monitoring of a Portion of the Whiting Zone 9 Reservoir and Transmission Main, Orange County	1997
Brown, Joan C.	01996*	Cultural Resources Literature and Records Review for the Foothill/trabuco Project	1999
Brown, Joan C. and David Ferraro	02056*	Cultural Resource Reconnaissance for the Saddle Creek/saddle Crest Project	1999
Cooley, Theodore G. and Marie G. Cottrell	00591	Archaeological Assessment of the Whiting Ranch	1980
Cottrell, Marie G.	00546	Records Search for 19+ Acres of the Glen Ranch	1978
Cottrell, Marie G.	00654	Archaeological Resources Assessment for a 3 Acre Parcel Located Along Modjeska Grade Road in Orange County	1983
Deering, Mark and Mason,	04029	Cultural Resources Monitoring of Southern California Edison	2010

Table 1
Previous Cultural Resources Investigations Conducted within ½ Mile of the Project Area

Roger D.		Access Roads Maintained by Orange County Fire Authority, Orange County, California (JPA E6088 0031; 1.0. 305869)	
Deering, Mark and Mason, Roger D.	03989	Cultural Resources Documentation and Monitoring of Southern California Edison Access Roads During Maintenance by the Orange County Fire Authority, 2010 Orange County, California	2011
Demcak, Carol R.	02881	Archaeological Resources Assessment for Tract 15800, Santiago Canyon, Orange County, California	2002
Desautels, Roger J.	00174	Archaeological Survey Report on Seventeen Acres of Land Located in the Cook's Corner Area of the County of Orange	1977
Desautels, Roger J.	00180	Archaeological Survey Report on a Parcel of Land Located in the Cook's Corner Area of the County of Orange	1977
Desautels, Roger J.	00110	Archaeological Survey Report on a 100 Acre Parcel of Land Located in the Modjeska Canyon Area of the County of Orange	1978
Desautels, Roger J., Mark A. Roder, and John F. Elliot	00637	Archaeological/historical/paleontological Report on the Serrano Ranch Property Located in the Cooks Comer Area of the County of Orange	1981
Garcia, Kyle H. and Marcy Rockman	03600*	Results of Archaeological Survey and Monitoring for Southern California Edison's Pole Replacements After Santiago Fire Along Santiago Canyon Road, Modjeska Canyon Road, and Hicks Canyon Road; Orange County, California; Jo:6259-0468	2007
Howard, Jerry B.	00238	A Reevaluation of the Cultural Resources of the Glen Ranch	1977
Leonard, Nelson N. III	01441	Archaeological Report on the Siverado-modjeska Planning Area Orange County California P.o. No. X 49525	1976
Mason, Roger D.	01026*	Cultural Resources Survey Report Santiago Canyon Road Alignment Study Orange County, California	1990
McCoy, Lesley C. and Kirkish, Alex N.	00581	Cultural Resources Data Recovery Program for the 230kv Transmission Line Rights-of-way From San Onofre Nuclear Generating Station to Black Star Canyon and Santiago Substation and to Encina and Mission Valley Substations	1982
McCoy, Lesley C. and Phillips Roxana	01439	National Register Assessment Program of Cultural Resources of the 230 Kv Transmission Line Rights-of-way From San Onofre Nuclear Generating Station to Black Star Canyon and Santiago Substation and to Encina and Mission Valley Substation	1980
Munoz, Jeanne	01354	History and Historical Resources of the Whiting Ranch	1980
Munoz, Jeanne and Theodore G. Cooley	00545	Glenn Ranch: Archaeological Resources and Their Recommended Management	1977
Sawyer, William A. and Brock, James	01637	Report on Archaeological Monitoring for the Aliso Oaks Ranch Project (tentative Tract 11919), Santiago Canyon, Orange County, California	1998
Tadlock, Jean	00769	Archaeological Survey Tentative Tract 12365, County of Orange, California.	1985

*Indicates study overlapping Project area

A total of 19 cultural resources have been previously recorded within ½ mile of the Project area, including four historic-period architectural resources, one isolated artifact, and fourteen archaeological sites (Table 2). Ten of the archaeological sites are prehistoric in age and consist primarily of artifact scatters; three archaeological sites date to the historic period and consist of the remains of an adobe and two historic clay mines; and one resource is a potential archaeological site consisting of a water-filled cavern. Of these 19 resources, six (CA-ORA-1250, CA-ORA-1516, CA-ORA-1521, CA-ORA-1522, CA-ORA-1523, and P-30-176629) are located within the Project area. These six resources are described in detail below.

TABLE 2
PREVIOUSLY RECORDED CULTURAL RESOURCES WITHIN 1/2 MILE OF THE PROJECT AREA

Permanent Trinomial (CA-ORA-)	P-Number (P-30-)	Other Designation	Description	Recorded by	Date Recorded
438	000438	-	Deposit of prehistoric artifacts in road cut. Groundstone and lithic tools recorded. The site was excavated in 1980 and 1982 and interpreted as a Millingstone and Late Period habitation site.	Crabtree et al	1973
439	000439	-	Prehistoric artifact scatter on knoll and saddle, with groundstone and lithic tools recorded	Crabtree et al	1973
440	000440	-	Prehistoric artifact scatter with groundstone and lithic tools	Crabtree et al	1973
441	000441	-	Prehistoric midden with artifacts, including groundstone and lithic artifacts. Survey and testing in 2007 found only one flake and some shell.	Crabtree et al	1973; updated 2007
704	000704	-	Small prehistoric artifact scatter on knoll. Located about 100 feet north of Project area	Kearns and Malone	1977
1008	001008	-	Surface scatter of prehistoric artifacts, with groundstone, lithic tools and debitage recorded. The site was not relocated during a 1999 survey. Site is located about 200 ft north of Project area.	Berry and Bissell	1982, updated 1982 and 1999
197	001097	Henry Serrano Adobe	Location of 1870s Henry Serrano Adobe. Historic refuse deposits and one wall of adobe, 1910 house, cabin, and prehistoric artifacts were recorded	Brock	1995
1250	001250*	-	Small prehistoric artifact scatter on knoll, with lithic tools and fire-affected rock. One mano and a possible metate were also recorded.	Brown	1990, updated 1999
-	001490	-	Surface and shallow subsurface deposit of prehistoric artifacts including debitage, groundstone, and tools.	Sawyer	1998
-	001491	-	Buried prehistoric feature in stream bank, consisting of fire-affected rocks, dark soil, charcoal, and a mano within a pit.	Sawyer	1998

Permanent Trinomial (CA-ORA-)	P-Number (P-30-)	Other Designation	Description	Recorded by	Date Recorded
1516	001516*	-	Possible archaeological site – water-filled cavern	Ferraro	1999
1521	001521*	Schoeppe Clay Mine	Historic clay mine – step mine, open pit, and access roads. Mid 20 th c.	Ferraro	1999
1522	001522*	-	Sparse lithic scatter on knoll and adjacent saddle	Ferraro	1999
1523	001523*	Serrano Clay Mine	Historic clay mine consisting of a trench and associated access road traces and historic artifacts. Mid 20 th c.	Ferraro	1999
-	10044	-	Prehistoric isolate: Metate	Unknown	n.d.
-	176484	-	1930s ranch/farm site with house, barn, sheds, and outhouse	Sawyer	1998
-	176627	-	1937 ranch/farm site with house, barn, shed, barbeque and water tanks	Gregory	1999
-	176629*	-	1940 residence and associated outbuildings, partially destroyed by fire	Gregory	1999
-	176661	-	Mid-20 th century structural remains	Demcak	2002

* Within Project area

CA-ORA-1250

This site was first recorded in 1990 by Joan Brown as a sparse prehistoric artifact scatter located on a knoll (Brown, 1980). She recorded 3 choppers, a “hammerstone scraper”, a quartzite and felsites core(s), and fire-affected rock. The site was relocated in 1999 by David Ferraro, who recorded one mano, a quartzite milling stone, three flakes, and angular quartzite shatter (Ferraro, 1999a). Ferraro was unable to locate the lithic tools recorded by Brown. He noted that the site was located adjacent to a historic-period mining trench (site CA-ORA-1523) and at that time was also within a horse corral. He theorized that although the groundstone was prehistoric in origin, it was likely that the flakes and shatter might be the product of mechanical disturbance from historic-period mining activities, or even a product of the hoofs of shod horses striking the raw material. The site has not been evaluated for significance; however, Brown and Ferraro (1999:19) recommended that the site be subject to Phase II subsurface evaluation if it could not be avoided.

CA-ORA-1516

This resource is a “water-filled solution cavern that could potentially be an archaeological site”, recorded by Ferraro in 1999 (Ferraro, 1999b). The cavern was about 3 meters wide and 8 meters deep, and was filled with 80 centimeters of water at the time of recorded. No prehistoric or historic cultural material was observed, but Ferraro posited that the cavern may have been a reliable water source in the past. The site has not been evaluated for significance; however, Brown and Ferraro (1999:19) did not evaluate the site and did not recommend any further work beyond simple recordation at the time because the cavern was located in an area that would not be impacted by the project proposed at that time.

CA-ORA-1521

This historic site-period, recorded by Ferraro in 1999, is the historic Schoeppe clay quarry (Ferraro, 1999c). The site consists of a 300-foot long, 75 to 150-foot wide step cut into the side of a ridge, tailings, a 150-foot diameter open pit quarry, and associated access roads. Historic mining activities at this site and at the nearby CA-ORA-1523 focused on the exploitation of a white conglomeritic sandstone with a clay matrix. The mines were in use between 1926 and 1974 (Bissell, 1982:B-20). The site has not been evaluated for significance; however, Brown and Ferraro (1999:19) recommended that more archival information on the mining site, if available, should be compiled.

CA-ORA-1522

This prehistoric site, recorded by Ferraro in 1999, consists of a dispersed scatter of chert, quartzite, and metavolcanic lithic debitage and a single mano (Ferraro, 1999d). The site is situated on and around a flat open saddle between two ridges. Ferraro noted that due to soil deposition on the saddle, there was the potential for subsurface deposits. The site has not been evaluated for significance; however, Brown and Ferraro (1999:19) recommended that the site be subject to Phase II subsurface evaluation if it could not be avoided.

CA-ORA-1523

This historic-period site is the Serrano Clay Mine, recorded in 1999 by Ferraro (Ferraro, 1999e). The site consists of a 50-65 foot wide, 400-foot trench and associated access road traces. A bottle base and leaf spring with attached axle were also recorded. The site is located about 800 feet northwest of historic mining site CA-ORA-1521. The site has not been evaluated for significance; however, Brown and Ferraro (1999:19) recommended that more archival information on the mining site, if available, should be compiled.

P-30-176629

This historic-period resource consists of the remains of a mid-20th century residence (Gregory, 1999a). The site, recorded by Gregory in 1999, consists of:

- the remains of a single-family house and an intact garage,
- a treehouse,
- the foundations and pad of a second house and garage,
- a garden area with cobblestone walls,
- the remains of a stable or storage shed, and
- a possible privy.

Gregory noted that at the time of its recording in 1999, the house appeared to have been recently destroyed by fire. Records from the County Assessor indicated that the residence was constructed in 1940 and was part of the Watson Ranch property, which was sold to the Seventh Day Adventist Church in 1990. No historical information was found regarding the Watson family. Because of this, Gregory considered the resource not significant in local history. Resource P-30-176629 was evaluated and recommended not eligible for listing in the National Register, California Register or local historical register; it was noted that the resource no longer retained integrity (Gregory, 1999b).

A review of prior survey reports reveals that several additional resources had been noted during past surveys, but not formally recorded. Bissell (1982: B-20) describes two prehistoric isolates (a flake and a groundstone fragment), an additional historic-era mine, and a possible historic site. None of these resources was formally recorded. The mine (“unnamed mine”) is located between the Schoeppe and Serrano mines and Bissell notes some lumber debris, historic glass and ceramic fragments, the remains of a water tank, and an engine shroud near the mine. The possible historic site was located in the southern portion of the southwestern parcel and was described as occupied by a mobile home, small outbuilding, and evergreen trees.

Historic Map and Aerial Review

Historic topographic maps (1942 and 1943 Santiago Peak 15-minute War Department maps and 1902 Corona 30-minute USGS topographic map) and aerial photographs (1946, 1952, 1981; historicaerials.com) were reviewed. The Project area appears undeveloped on the topographic maps; Modjeska Grade Road (now Santiago Canyon Road) is depicted to the west of the Project area. Historic aerial photographs show roads and trenches caused by historic clay-mining activities in the southwestern parcel in 1946; structures are also present along the southern border of the northeastern parcel in 1946, at the location of site P-30-176629.

Native American Contact

A Sacred Lands File search with the Native American Heritage Commission (NAHC) was requested on August 19, 2011. Sacred Lands File search results prepared by the NAHC on August 23, 2011, indicated that no Native American resources were identified within ½-mile of the Project area; however, the NAHC noted that Native American resources are “known to be in close proximity” to the Project area.

Contact letters to all individuals and groups indicated by the NAHC as having affiliation with the Project area were prepared and mailed on August 29, 2011. The letters described the Project and included a map indicating the location of the Project area. Recipients were requested to reply with any information they are able to share about Native American resources that might be affected by the Project. To date, two responses have been received, from Mr. Robert Dorame of the Gabrielino Tongva Indians of California Tribal Council and Mr. Alfred Cruz of the Juaneño Band of Mission Indians. Mr. Dorame inquired if a survey would be performed for the project, because he is familiar with the area and believes it to be very sensitive. Mr. Cruz replied via voicemail on September 22, 2011 and requested that more information on the project be sent to him by email. A detailed project description and a summary of the cultural resources records search and survey results were sent to him by email on September 26, 2011. Mr. Cruz replied again by telephone on October 5, 2011, to express his opposition to the project and his concern regarding impacts to cultural resources. Documentation of Native American contact may be found in Appendix B.

Field Reconnaissance

Survey Methodology

The Project area was surveyed on September 22 and 23, 2011. The off-site water line was surveyed on January 12, 2012. Survey was conducted by a crew of three archaeologists. The survey included all accessible areas where the ground surface was visible and was conducted in 15-meter parallel transects, wherever possible. Slopes of greater than 25 percent were generally not systematically surveyed due to safety concerns. All accessible flat ridgetops, saddles, and prominent rock outcrops were closely examined for evidence of cultural resources.

Sites were defined as consisting of one or more cultural features or three or more artifacts (45 years old or older) within an approximate 25 square meter area. Fewer than three artifacts within 25 square meter area would be considered an isolate. Archaeological resources encountered during survey were documented and photographed, and their locations recorded on a sub-meter Trimble GeoXT GPS unit. GPS points were also taken of individual artifacts and features within recorded sites. Resources were recorded on appropriate Department of Parks and Recreation (DPR) 523 forms. An attempt was made to relocate previously recorded sites and additional data was gathered when necessary. No subsurface investigation was performed and no artifacts were collected during the survey.

On October 17, 2011, vegetation clearance and extended survey were performed at the recorded location of site CA-ORA-1522. Grasses were cleared from the site area and the area was intensively surveyed in 5-meter transects.

Survey Results

Survey conditions

Steep slopes comprise a majority of the northeastern parcel and much of the southwestern parcel, and natural topography and surface conditions (e.g. steep slopes, steep stream beds and dense vegetation) often prevented strict adherence to the 15-meter transect survey methodology.

The southern half of the southwestern parcel was comprised of a northwest-southeast trending ridge within a horse pasture (Figure 3). Vegetation along the top and southern side of this ridge consisted of grasses that appear to have been heavily grazed by horses. Visibility within this area was generally fair to good. The southernmost tip of the ridge was located outside of the horse pasture and was therefore more heavily vegetated, with correspondingly low visibility. This ridge and its southern slope were fully surveyed. The small triangular area located at the extreme western tip of the Project area, located just north of an existing residence, was not accessible to surveyors.

The northern half of the southwestern parcel consisted of a steep ridge with several steep south-trending spurs; a flat saddle connecting this ridge with the southern ridge; and a narrow valley located between the two ridges and east of the saddle. The saddle, northern ridge top, and valley

floor were fully surveyed. Visibility on the saddle was generally low due to tall grasses; however, several bare patches within the grass were evident and these had good visibility. Visibility on the ridge top and in the valley was low due to vegetation.

The majority of the northeastern parcel was comprised of a creek within a steep canyon (Figure 4). A trail was accessible along the southern portion of the creek; however, the northern portion of the creek was characterized by steep canyon walls and dense vegetation (including poison oak) that prevented access by surveyors. An attempt was made to ascend some of the ridges within the northeastern parcel; however, ridgetops were steep, narrow, and characterized by loose, crumbling bedrock. Due to these factors, survey of the ridgetops in this area was deemed unsafe and was not undertaken. The flat area around site P-33-176629 was fully surveyed; visibility was low due to vegetation.



Southwestern portion of the Project area, facing southwest. Santiago Canyon Road is in the background.



Central part of the southwestern portion of the Project area, facing north.



Northeastern portion of the Project area, facing north.



Vegetation along creek in northeastern portion of the Project area, facing north.

Cultural Resources Recorded within Project Area

One new resource, prehistoric isolate SC-ISO-1, and three previously recorded resources, CA-ORA-1521, CA-ORA-1523, and P-33-176629, were recorded within the Project area (Appendices C, D). Previously recorded resources CA-ORA-1250, CA-ORA-1516, and CA-ORA-1522 were not relocated. None of the unrecorded features noted by Bissell in 1982 (two isolates, unnamed mine, and possible historic site) were relocated. However, it is possible that Bissell's third "unnamed" mine may have later been recorded as a part of CA-ORA-1521 by Ferraro.

SC-ISO-1 (permanent primary number pending): This prehistoric isolate consisted of a single unshaped granitic mano measuring 11 by 9 by 6 centimeters. The mano exhibited one utilized surface measuring 6 by 5 centimeters. The artifact was recorded at the base of a gentle slope on the southern edge of the Project area. A wide area surrounding the isolate was thoroughly and intensively surveyed; however, no additional artifacts were recorded. Numerous rounded river cobbles were noted, and one piece of quartz shatter that appeared to be natural in origin.

Isolate SC-ISO-1 is not recommended eligible for listing in the California Register, and does not otherwise meet CEQA's definitions for historical resources and unique archaeological resources.

CA-ORA-1250: This resource, originally recorded as a prehistoric lithic and groundstone scatter, was not relocated. Although the recorded location of the site was easily found, no artifacts were identified. A scatter of quartzite cobbles and shatter, similar to that recorded by Ferraro in 1999, was noted; however, none of these appeared to be cultural in origin. The site area consisted of an exposed area of white sandstone, and appeared to have been heavily impacted by weathering and erosion.

This site was first recorded in 1990 as a sparse prehistoric lithic artifact scatter located on a knoll. However, when the site was relocated in 1999, that surveyors were unable to locate the lithic tools that were originally recorded (Ferraro, 1999a). The 1999 surveyors recorded one mano, a quartzite milling stone, three flakes, and angular quartzite shatter. It was noted that the site was located adjacent to a historic-period mining trench and at that time was also within a horse corral, and it was theorized that it was likely that the flakes and shatter might be the product of mechanical disturbance from historic-period mining activities, or even a product of the hoofs of shod horses striking the raw material. It is likely that the lithic objects originally recorded in 1990 and 1999 are not cultural in origin. A mano and groundstone fragment were also recorded in 1999, but were not relocated in 2011.

Site CA-ORA-1250 does not appear to meet the criteria for listing in the California Register. Prehistoric archaeological sites are typically evaluated under Criterion 4 – potential to yield information important to an understating of history. The site as originally recorded contains a limited number and type of artifacts. Discounting the lithic material, which is likely not cultural in origin, only two artifacts, a mano and a milling stone fragment, have ever been recorded. Neither of these was relocated in 2011. Because of the limited number and types of artifacts recorded and because the site is unlikely to possess a subsurface component, site CA-ORA-1250 does not appear to have the potential to yield information important to an understanding of

prehistory and is recommended not eligible for listing in the California Register and does not otherwise qualify as a historical resource under CEQA.

CA-ORA-1516: This resource, a water-filled solution cavern originally recorded as a possible prehistoric archaeological site, was not relocated. The creek area surrounding the resource consisted of a steeply walled streambed filled and surrounded by dense vegetation, and steep and heavily vegetated canyon walls, which prevented access to the site.

Because the resource was not relocated, insufficient information is available to assess its significance and it has not been evaluated for listing in the California Register.

CA-ORA-1521: This resource, the historic-era Schoeppe clay mine, was relocated on September 22, 2011. The open face of the step trench and the open-pit mine were relocated; however, the access road was not relocated. The site area was thickly vegetated, and it is likely that the road cut, which is still visible in modern aerial photographs, was obscured from view by the vegetation.

Mining feature CA-ORA-1521 does not appear to meet the criteria for listing in the California Register or local register and does not otherwise qualify as a historical resource under CEQA. The mining feature is not known to be directly associated with events or people that have had a broad-reaching impact on the community at the local, state, or national level (Criteria 1 and 2). The mine is not depicted on historic maps and no further information regarding the mine was found in a search of historic documentary sources. In addition, the feature does not embody the characteristics of a distinctive type, period, or method of construction, or represent the work of a master (Criterion 3). The types of mining features present are typical of mine operation in the 19th and 20th centuries, and similar mining features are abundant throughout southern California.

Archaeological sites, including mining sites, are typically assessed under Criterion 4 for their potential to yield information important to history. For simple mining sites, the information potential of mining features can be exhausted in the process of recording them and providing basic documentary information. In addition, the existence of buried historic-period deposits related to the feature is unlikely. No important information can be obtained by studying the feature further. For these reasons, CA-ORA-1521 does not appear significant under Criterion 4 because it does not have the potential to yield information important to an understanding of the prehistory or history of the local area, the state, or the nation.

CA-ORA-1522: This resource, originally recorded as a sparse lithic scatter with one mano, was not relocated. The saddle and knoll on which the site was recorded were surveyed at close interval (5 meter transects); however, no artifacts were identified. The site area was vegetated with thick grasses, with some cleared areas; the knoll had fair visibility.

On October 17, 2011, the site was revisited and resurveyed after the clearance of vegetation. Tall grasses and other ruderal vegetation were cut with weed-whackers and cleared from the area where CA-ORA-1522 had previously been recorded. The cleared area was then closely inspected for cultural resources. The mano previously recorded in 1999 was relocated; however, no other artifacts were identified. Aside from this mano, no other site components could be relocated.

Site CA-ORA-1522 does not appear to meet the criteria for listing in the California Register. Prehistoric archaeological sites are typically evaluated under Criterion 4 – potential to yield information important to an understating of history. The site as originally recorded contains a limited number and type of artifacts (lithic debitage and one mano). The mano was relocated in 2011; however, none of the lithic material was relocated. Site CA-ORA-1522 does not appear to have the potential to yield information important to an understanding of prehistory and is recommended not eligible for listing in the California Register and does not otherwise qualify as a historical resource or unique archaeological resource under CEQA.

CA-ORA-1523: This resource, the historic-era Serrano clay mine, was relocated on September 22, 2011. The trench was relocated; however, the access roads were not clearly visible. One access road was mapped as running along the ridge to the east, and although the area was generally clear of vegetation and could potentially have functioned as a travel corridor, nothing clearly identifiable as a road trace was observed. The lower (western) road was not relocated, nor were the leaf spring and bottle base.

Mining feature CA-ORA-1523 does not appear to meet the criteria for listing in the California Register or local register and does not otherwise qualify as a historical resource under CEQA. The mining feature is not known to be directly associated with events or people that have had a broad-reaching impact on the community at the local, state, or national level (Criteria 1 and 2). The mine is not depicted on historic maps and no further information regarding the mine was found in a search of historic documentary sources. In addition, the feature does not embody the characteristics of a distinctive type, period, or method of construction, or represent the work of a master (Criterion 3). The types of mining features present are typical of mine operation in the 19th and 20th centuries, and similar mining features are abundant throughout southern California.

Archaeological sites, including mining sites, are typically assessed under Criterion 4 for their potential to yield information important to history. For simple mining sites, the information potential of mining features can be exhausted in the process of recording them and providing basic documentary information. In addition, the existence of buried historic-period deposits related to the feature is unlikely. No important information can be obtained by studying the feature further. For these reasons, CA-ORA-1523 does not appear significant under Criterion 4 because it does not have the potential to yield information important to an understanding of the prehistory or history of the local area, the state, or the nation.

P-30-176629: This resource, a historic-era residential complex, was relocated on September 23, 2011. The resource was found to be generally as recorded; however, thick brush had overgrown most of the garden retaining wall and the possible privy was not relocated. Because the original site record did not include a sketch map, the features were mapped with the Trimble GeoXT and a sketch map drawn.

Resource P-30-176629 was evaluated in 1999 for listing in the National Register and was recommended not eligible; it was noted that the resource no longer retained integrity (Gregory, 1999b). The resource's condition has changed little since this past evaluation and the resource is still evaluated as not eligible for listing in the National Register, California Register, or local

register. The resource is not considered a historical resource or unique archaeological resource under CEQA.

Conclusions and Recommendations

Proposed Project

Six cultural resources have been recorded within the Project area (CA-ORA-1250, CA-ORA-1516, CA-ORA-1521, CA-ORA-1522, CA-ORA-1523, and P-30-176629). Of these, five resources (CA-ORA-1250, CA-ORA-1521, CA-ORA-1522, CA-ORA-1523, and P-30-176629) have been evaluated as not eligible for listing in the California Register and as not otherwise qualifying as an historical resource or unique archaeological resource pursuant to Section 15064.5 and will not be considered further.

Sufficient data was not able to be gathered to evaluate the significance of potential archaeological resource CA-ORA-1516. The location of CA-ORA-1516 was not accessible to surveyors due to topography and vegetation. However, under the Proposed Project, site CA-ORA-1516 would be located within an area that would be designated as permanently protected open space, and therefore would not be impacted by the Proposed Project.

The Project area is located in an area that is highly sensitive for prehistoric archaeological resources. Recorded evidence of prehistoric occupation and the presence of nearby constant water sources such as Santiago Creek, Aliso Creek, and the spring located within the Project area, attest to this sensitivity. Although much of the Project area is characterized by steep slopes, areas such as ridge tops, valleys, and stream terraces should be considered likely locations for prehistoric archaeological resources that may have been buried or obscured by dense vegetation.

Since the nature of the proposed project would involve ground-disturbing activities, it is possible that such actions could unearth, expose, or disturb subsurface archaeological resources that were not observable on the surface, which would result in a significant impact. At a minimum, all areas within 100 feet of known cultural resources and all areas characterized by less than 45 percent slope where ground-disturbing activity will occur should be monitored by a qualified archaeologist. The duration and timing of monitoring should be determined by the qualified archaeologist in consultation with the lead agency and based on the grading plans.

Further, in the event that previously unidentified archaeological or Native American resources are uncovered during Project implementation, all work should cease in the vicinity of the find until it can be evaluated by a qualified archaeologist. If the resource is found to be a historical or unique archaeological resource as defined in PRC Section 21084.1 and 21083.2(g), respectively, impacts to the resource shall be avoided during project implementation. Consistent with Section 15126.4(b)(3), this may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. If avoidance is not feasible, prior to issuing any grading or excavation permits and prior to any project-related ground disturbing activities, a

detailed treatment plan should be prepared and implemented by a qualified archaeologist in consultation with the County. Treatment of unique archaeological resources would follow the applicable requirements of Public Resources Code 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, surface artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The treatment plan should include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and State repositories, libraries, and interested professionals.

If human remains are encountered unexpectedly during construction, Health and Safety Code Section 7050.5 should be implemented.

Non-Clustered Scenario

Impacts from the non-clustered scenario would be similar to those described above, with the exception that this scenario would impact site CA-ORA-1516. Prior to project implementation, site CA-ORA-1516 should be relocated by a qualified archaeologist after brush has been cleared from the sites. The sites' significance should be evaluated based on the results of this extended survey.

Similar to the Proposed Project, since the nature of the proposed project would involve ground-disturbing activities, it is possible that such actions could unearth, expose, or disturb subsurface archaeological resources that were not observable on the surface, which would result in a significant impact. At a minimum, all areas within 100 feet of a known cultural resource and all areas characterized by less than 45 percent slope where ground-disturbing activity will occur should be monitored by a qualified archaeologist. Monitoring should follow the protocols outlined above for the Proposed Project.

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Appendix A

Personnel Qualifications



MADELEINE BRAY

Archaeologist

Madeleine Bray is an archaeologist and cultural resources project manager with 10 years of survey, excavation and mapping experience related to historically significant sites. She has managed numerous projects in California in compliance with CEQA and with Section 106 of the National Historic Preservation Act, including Phase I surveys, site significance testing and evaluation, mitigation recommendations, and archaeological construction monitoring. She has worked extensively throughout southern California, with particular experience in the context of the Mojave and California deserts, historic mining sites, and historic artifacts. She is currently involved in several fieldwork efforts in Los Angeles County. Internationally, she has participated in the excavation of a Roman temple in Omrit, Israel, and in the pedestrian and geophysical survey of Sikyon, an important urban site in Greece.

Education

M.A., Archaeology, University of California, Los Angeles

B.A., Classical Archaeology, Macalester College, Saint Paul, Minnesota

Years Experience: 10

Professional Affiliations

Society for American Archaeology

Register of Professional Archaeologists

Qualifications

Meets Secretary of the Interior's Standards

Riverside County certified

CA State BLM Permitted

Certified in CA BLM Protocol

Continuing Education

ACHP Section 106 Basics seminar

Riverside County certification course, 2007 and 2009

Relevant Experience

Bureau of Land Management On-Call Cultural Resources Services. Riverside County, CA. *Archaeologist.* ESA has been retained by the Bureau of Land Management under an on-call contract to provide cultural resource services including compliance monitoring for projects under BLM jurisdiction. Madeleine has participated in a number of projects for the BLM (Palm Springs South Coast Field Office) providing a wide range of cultural resources services for solar projects and other projects taking place on BLM lands in compliance with Section 106 and specified BLM protocols, including compliance monitoring and peer review, Phase 1 archaeological resources surveys, resource evaluations, the preparation of reports, and Native American consultation.

Sweetwater Reservoir Water Main Replacement. San Diego County, CA. *Cultural Resources Project Manager.* ESA was retained by Sweetwater Authority to prepare an IS/MND for the replacement of a 36-inch pipeline leading from Sweetwater Dam. Sweetwater Dam is a National Register-eligible structure that was originally constructed in the late 19th century and was subject to upgrades in 1917. Madeleine conducted a Phase 1 Cultural Resources Assessment including archival research, pedestrian, survey, historical research, Native American outreach, and the preparation of a technical report documenting archaeological and historic-architectural resources that might be impacted by the project. The study concluded that features that would be altered by the project that were contributing elements to the historic dam would need to be replaced in kind.

Bureau of Land Management Abandoned Mine Land Archaeological Inventories, San Diego County, Kern County, San Bernardino County, and Riverside County, CA. *Cultural Resources Project Manager.* ESA has been retained to provide cultural resources services to the BLM in connection with the Abandoned Mine Lands program. The BLM proposes to conduct remediation of physical safety hazards associated with Abandoned Mine Lands.

Relevant Experience (Continued)

Remediation would consist of backfilling or closing off mine shafts, adits, and prospects. ESA prepared archaeological inventory reports documenting the abandoned mines, in compliance with Section 106 of the NHPA. Madeleine performed archival and historic research, coordinated with the BLM, led a team of surveyors in the documentation of over 100 mining features, and authored reports summarizing the documentation and providing significance and treatment recommendations.

Cadiz Groundwater Project, San Bernardino County, CA. *Archaeologist.*

ESA was retained by Cadiz Land Company, Inc. to prepare an EIR in connection with a water supply project in Cadiz Valley of the Mojave Desert. Madeleine led a Phase 1 archaeological resources assessment including literature review, 42-mile long pedestrian survey, and Native American outreach to meet CEQA compliance requirements. An Archaeological Resources Technical Report was prepared that evaluated the California Register eligibility of over 40 historic-period archaeological sites that had been identified as a result of the investigation. The results of the technical report were incorporated into the EIR which included an impacts analysis and appropriate mitigation measures.

Sacramento County Airport Systems Archaeological Monitoring, Sacramento, CA. *Archaeological Monitor.*

ESA is providing on-call natural resources support and consulting services for the Sacramento County Airport System. Madeleine served as an archaeological monitor for the Sacramento County Airport Systems prior to routine disking at the Sacramento International Airport. Tasks included monitoring of disking activities and survey of the project area concurrent with or immediately following disking, documentation of the project including a daily monitoring log and photographs, analysis of cultural materials found during the course of construction, and the preparation of a final monitoring report.

Department of Water Resources, East Branch Enlargement EIR. Antelope Valley, CA. *Cultural Resources Project Manager.*

Madeleine coordinated the preparation of cultural resources technical studies for the EBE project, which will involve the enlargement of 100 miles of the California Aqueduct from the Tehachapi split through the Antelope Valley and Mojave River Basin to Silverwood Reservoir. Madeleine analyzed and summarized records search results, which resulted in identification of 130 cultural resources near the project area. She drafted a survey strategy for DWR approval, coordinated with DWR, and completed archaeological field survey of the 98-mile project area. She preparing the draft survey report and completed site records for the more than 100 cultural resources identified during survey. The Project is being carried out in compliance with CEQA and Section 106 of the NHPA. Impacts and mitigation measures will be addressed in the Cultural Resources section of the Project EIR. ESA has conducted technical studies to complete the EIR and has begun negotiating permit requirements and restoration planning with resource agencies including the USACE, RWQCB, and USFWS.

Relevant Experience (Continued)

Additional Experience

Cotsen Institute of Archaeology, University of California, Los Angeles.

Publications Assistant. Madeleine assisted in editing manuscripts for publication, maintained databases and inventory of published material, and processed orders and assisted customers.

Kenchreai Cemetery Project, Kenchreai, Greece. *Crew Member.*

Madeleine assisted the survey a Roman-era cemetery near Corinth, Greece. The site consisted of 55+ tombs which she helped survey, map, photograph, and create scale drawings. Additionally, she inventoried and documented ceramic artifacts.

Macalester College Excavations, Omrit, Israel. *Crew Member and Registrar.*

Madeleine participated in two sessions of the excavation of a Roman temple in Northern Israel. She helped excavate three separate trenches, and collaborated with excavation leaders to map, organize, document, inventory, and create a database of artifacts and architectural fragments.

Pioneer Memorial Cemetery Geophysical Survey, Sylmar, California. *Crew Member.*

Madeleine surveyed a 19th and 20th century A.D. historical site using magnetic & electromagnetic methods, resistivity, and Ground Penetrating Radar. She analyzed the results of the surveys and prepared a report on her findings.

Science Museum of Minnesota, Saint Paul, Minnesota. *Archaeology Intern.*

As part of an independent project, Madeleine assisted the Science Museum of Minnesota in researching and cataloguing a small collection of Greek and Roman ceramic lamps that had never been identified by place or period of origin. Ultimately, Madeleine created a catalog of the lamps and prepared the data for entry into the museum's database for record and eventual publication.

Sikyon Survey Project, Sikyon, Greece. *Crew Member.*

Madeleine participated in a collaborative, multi-national geophysical survey of a large Greek and Roman period urban site as part of a multidisciplinary study. She conducted a both geophysical and pedestrian archeological surveys of the site using a Geoscan FM36 Fluxgate gradiometer. Madeleine was also responsible for sorting, documenting, and cataloguing ceramic artifacts which she analyzed to help create a ceramic typology for the site.

Statistical Research, Inc., Playa Vista, CA. *Field and Laboratory*

Technician. Madeleine assisted an ongoing field curation project at the proposed construction site of an office complex in Playa Vista. Madeleine documented trenches through scale drawings and photographs of the project site. She also assisted in cataloguing of sorted materials and artifacts for future curation.

Relevant Experience (Continued)

University of California, Los Angeles. *Research Assistant.* Assisted Professor Richard Lesure in digitizing archaeological drawings for publication. Used Adobe Illustrator to trace and refine hand drawn site illustrations.

University of California, Los Angeles. *Teaching Assistant.* Madeleine worked as a teaching assistant for three Classics courses. She taught two 50-student sections per course, graded papers, and administered exams.

Appendix B

Native American Correspondence

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net



August 23, 2011

Ms. Madeleine Bray, Cultural Resources

ESA

626 Wilshire Boulevard, Suite 1100
Los Angeles, CA 90017

Sent by FAX to: 213-599-4301

No. of Pages: 4

Re: Sacred Lands File Search and Native American Contacts list for the "Proposed Saddle Cres Homes EIR Project Comprised of 65 Single-Family Homes on 113-acres;" located on Santiago Canyon Road, in Orange County, California

Dear Ms. Bray:

The Native American Heritage Commission (NAHC) conducted a Sacred Lands File search of the 'area of potential effect,' (APE) based on the USGS coordinates provided and found **Native American cultural resources were not identified** in the USGS coordinates you specified. Also, please note; the NAHC Sacred Lands Inventory is not exhaustive and do not preclude the discovery of cultural resources during ground braking activity. However, Native American cultural resources are known to be in close proximity to the APE.

The California Environmental Quality Act (CEQA – CA Public Resources Code §§ 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. CA Government Code §65040.12(e) defines "environmental justice" provisions and is applicable to the environmental review processes.

Early consultation, even during Initial Study or First Phase surveys with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Local Native Americans may have knowledge of the religious and cultural significance of the historic properties of the proposed project for the area (e.g. APE). Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). We urge consultation with those tribes and interested Native Americans on the list of Native American Contacts we attach to this letter in order to see if your proposed project might impact Native American cultural resources. Lead agencies should consider avoidance as defined in §15370 of the CEQA Guidelines when significant cultural resources as defined by the CEQA Guidelines §15064.5 (b)(c)(f) may be affected by a proposed project. If so, Section 15382 of the CEQA Guidelines defines a

significant impact on the environment as "substantial," and Section 2183.2 which requires documentation, data recovery of cultural resources.

Partnering with local tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C 4321-43351) and Section 106 4(f), Section 110 (f)(k) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation.

Also, California Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery', another important reason to have Native American Monitors on board with the project.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. An excellent way to reinforce the relationship between a project and local tribes is to employ Native American Monitors in all phases of proposed projects including the planning phases.

Confidentiality of "historic properties of religious and cultural significance" may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APE and possibility threatened by proposed project activity.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton

Attachment: Native American Contact List

California Native American Contact List
Orange County
August 23, 2011

Ti'At Society/Inter-Tribal Council of Pimu
Cindi M. Alvitre, Chairwoman-Manisar
3098 Mace Avenue, Aapt. D Gabrielino
Costa Mesa, CA 92626
calvitre@yahoo.com
(714) 504-2468 Cell

Juaneno Band of Mission Indians Acjachemen Nation
David Belardes, Chairperson
32161 Avenida Los Amigos Juaneno
San Juan Capistrano CA 92675
(949) 493-4933 - home
chiefdavidbelardes@yahoo.
com
(949) 293-8522

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.
Private Address Gabrielino Tongva
tattnlaw@gmail.com
310-570-6567

Gabrieleno/Tongva San Gabriel Band of Mission
Anthony Morales, Chairperson
PO Box 693 Gabrielino Tongva
San Gabriel, CA 91778
GTtribalcouncil@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 -FAX

Gabrielino Tongva Nation
Sam Dunlap, Chairperson
P.O. Box 86908 Gabrielino Tongva
Los Angeles, CA 90086
samdunlap@earthlink.net
(909) 262-9351 - cell

Juaneno Band of Mission Indians Acjachemen Nation
Anthony Rivera, Chairman
31411-A La Matanza Street Juaneno
San Juan Capistrano CA 92675-2674
arivera@juaneno.com
(949) 488-3484
(949) 488-3294 - FAX
(530) 354-5876 - cell

Gabrielino Tongva Indians of California Tribal Council
Robert F. Dorame, Tribal Chair/Cultural Resources
P.O. Box 490 Gabrielino Tongva
Bellflower, CA 90707
gtongva@verizon.net
562-761-6417 - voice
562-761-6417- fax

Juaneno Band of Mission Indians
Alfred Cruz, Culural Resources Coordinator
P.O. Box 25628 Juaneno
Santa Ana, CA 92799
alfredgcruz@sbcglobal.net
714-998-0721
714-998-0721 - FAX
714-321-1944 - cell

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Saddle Crest Homes Project comprised of 65 Single Family Units on a total of 113-acres; located on Santiago Canyon Road in Orange County, California for which a Sacred Lands File search and Native American Contacts list were requested.

California Native American Contact List
Orange County
August 23, 2011

Juaneno Band of Mission Indians
Adolph 'Bud' Sepulveda, Vice Chairperson
P.O. Box 25828 Juaneno
Santa Ana , CA 92799
bssepul@yahoo.net
714-838-3270
714-914-1812 - CELL
bsepul@yahoo.net

Juaneño Band of Mission Indians
Sonia Johnston, Tribal Chairperson
P.O. Box 25628 Juaneno
Santa Ana , CA 92799
sonia.johnston@sbcglobal.
net
(714) 323-8312

Juaneno Band of Mission Indians
Anita Espinoza
1740 Concerto Drive Juaneno
Anaheim , CA 92807
(714) 779-8832

United Coalition to Protect Panhe (UCPP)
Rebecca Robles
119 Avenida San Fernando Juaneno
San Clemente CA 92672
rebrobles1@gmail.com
(949) 573-3138

Gabrielino-Tongva Tribe
Bernie Acuna
1875 Century Pk East #1500 Gabrielino
Los Angeles , CA 90067
(619) 294-6660-work
(310) 428-5690 - cell
(310) 587-0170 - FAX
bacuna1@gabrieinotribe.org

Juaneno Band of Mission Indians Acjachemen Nation
Joyce Perry; Representing Tribal Chairperson
4955 Paseo Segovia Juaneno
Irvine , CA 92612
949-293-8522

Gabrielino-Tongva Tribe
Linda Candelaria, Chairwoman
1875 Century Park East, Suite 1500
Los Angeles , CA 90067 Gabrielino
lcandelaria1@gabrielinoTribe.org
626-676-1184- cell
(310) 587-0170 - FAX
760-904-6533-home

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7060.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Saddle Crest Homes Project comprised of 65 Single Family Units on a total of 113-acres; located on Santiago Canyon Road in Orange County, California for which a Sacred Lands File search and Native American Contacts list were requested.



626 Wilshire Boulevard
Suite 1100
Los Angeles, CA 90017
213.599.4300 phone
213.599.4301 fax

www.esassoc.com

August 29, 2011

Bernie Acuna
Gabrielino-Tongva Tribe
1875 Century Park East #1500
Los Angeles, CA 90067

SUBJECT: Saddle Crest Homes EIR project - 211454

Dear Mr. Acuna:

ESA is preparing an EIR for the proposed Saddle Crest Homes Project, Orange County. The Saddle Crest Homes project includes the development of 65 single family homes on lots with an average size of nearly 20,000 square feet, the majority of which would be building pads. Approximately 75 acres or 66 percent of the project site is proposed to remain open space (including remedial grading, revegetated areas, water quality basins, and fuel modification zones). The proposed project would be located on 113 acres in unincorporated Orange County north of the junction of Live Oak Canyon Road with El Toro Road and east of Santiago Canyon Road. The enclosed map shows the project area on the El Toro and Santiago Peak USGS 7.5' Quads, T5S, R7W, Sections 32 and 33.

In an effort to address any potential impact to archaeological or Native American resources, we are seeking comments and information from Native American representatives, and your name was supplied to us by the Native American Heritage Commission as a contact for this area. We would appreciate your comments identifying any sensitive sites in or near the project area that you may be aware of, any concerns or issues pertinent to this project, or the names of others who may be interested in this project.

Thank you for your cooperation on this matter. If you have any questions or comments, please contact me by phone at (213) 599-4300; by email at mbray@esassoc.com, or by mail at the address in the letterhead.

Sincerely,

A handwritten signature in blue ink that reads "Madeleine Bray". The script is fluid and cursive, with the first name "Madeleine" written in a larger, more prominent hand than the last name "Bray".

Madeleine Bray
Archaeologist



626 Wilshire Boulevard
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Los Angeles, CA 90017
213.599.4300 phone
213.599.4301 fax

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August 29, 2011

Cindi Alvitre, Chairwoman-Manisar
Ti'At Society/Inter-Tribal Council of Pimu
3098 Mace Avenue, Apt. D
Costa Mesa, CA 92626

SUBJECT: Saddle Crest Homes EIR project - 211454

Dear Ms Alvitre:

ESA is preparing an EIR for the proposed Saddle Crest Homes Project, Orange County. The Saddle Crest Homes project includes the development of 65 single family homes on lots with an average size of nearly 20,000 square feet, the majority of which would be building pads. Approximately 75 acres or 66 percent of the project site is proposed to remain open space (including remedial grading, revegetated areas, water quality basins, and fuel modification zones). The proposed project would be located on 113 acres in unincorporated Orange County north of the junction of Live Oak Canyon Road with El Toro Road and east of Santiago Canyon Road. The enclosed map shows the project area on the El Toro and Santiago Peak USGS 7.5' Quads, T5S, R7W, Sections 32 and 33.

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Thank you for your cooperation on this matter. If you have any questions or comments, please contact me by phone at (213) 599-4300; by email at mbray@esassoc.com, or by mail at the address in the letterhead.

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August 29, 2011

David Belardes, Chairperson
Juaneno Band of Mission Indians Acjachemen Nation
32161 Avenida Los Amigos
San Juan Capistrano, CA 92675

SUBJECT: Saddle Crest Homes EIR project - 211454

Dear Mr. Belardes:

ESA is preparing an EIR for the proposed Saddle Crest Homes Project, Orange County. The Saddle Crest Homes project includes the development of 65 single family homes on lots with an average size of nearly 20,000 square feet, the majority of which would be building pads. Approximately 75 acres or 66 percent of the project site is proposed to remain open space (including remedial grading, revegetated areas, water quality basins, and fuel modification zones). The proposed project would be located on 113 acres in unincorporated Orange County north of the junction of Live Oak Canyon Road with El Toro Road and east of Santiago Canyon Road. The enclosed map shows the project area on the El Toro and Santiago Peak USGS 7.5' Quads, T5S, R7W, Sections 32 and 33.

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August 29, 2011

Linda Candelaria, Chairwoman
Gabrielino-Tongva Tribe
1875 Century Park East, Suite 1500
Los Angeles, CA 90067

SUBJECT: Saddle Crest Homes EIR project - 211454

Dear Ms Candelaria:

ESA is preparing an EIR for the proposed Saddle Crest Homes Project, Orange County. The Saddle Crest Homes project includes the development of 65 single family homes on lots with an average size of nearly 20,000 square feet, the majority of which would be building pads. Approximately 75 acres or 66 percent of the project site is proposed to remain open space (including remedial grading, revegetated areas, water quality basins, and fuel modification zones). The proposed project would be located on 113 acres in unincorporated Orange County north of the junction of Live Oak Canyon Road with El Toro Road and east of Santiago Canyon Road. The enclosed map shows the project area on the El Toro and Santiago Peak USGS 7.5' Quads, T5S, R7W, Sections 32 and 33.

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August 29, 2011

Alfred Cruz, Cultural Resources Coordinator
Juaneno Band of Mission Indians
P.O. Box 25628
Santa Ana, CA 92799

SUBJECT: Saddle Crest Homes EIR project - 211454

Dear Mr. Cruz:

ESA is preparing an EIR for the proposed Saddle Crest Homes Project, Orange County. The Saddle Crest Homes project includes the development of 65 single family homes on lots with an average size of nearly 20,000 square feet, the majority of which would be building pads. Approximately 75 acres or 66 percent of the project site is proposed to remain open space (including remedial grading, revegetated areas, water quality basins, and fuel modification zones). The proposed project would be located on 113 acres in unincorporated Orange County north of the junction of Live Oak Canyon Road with El Toro Road and east of Santiago Canyon Road. The enclosed map shows the project area on the El Toro and Santiago Peak USGS 7.5' Quads, T5S, R7W, Sections 32 and 33.

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August 29, 2011

Robert Dorame, Tribal Chair
Gabrielino Tongva Indians of California Tribal Council
P.O. Box 490
Bellflower, CA 90707

SUBJECT: Saddle Crest Homes EIR project - 211454

Dear Mr. Dorame:

ESA is preparing an EIR for the proposed Saddle Crest Homes Project, Orange County. The Saddle Crest Homes project includes the development of 65 single family homes on lots with an average size of nearly 20,000 square feet, the majority of which would be building pads. Approximately 75 acres or 66 percent of the project site is proposed to remain open space (including remedial grading, revegetated areas, water quality basins, and fuel modification zones). The proposed project would be located on 113 acres in unincorporated Orange County north of the junction of Live Oak Canyon Road with El Toro Road and east of Santiago Canyon Road. The enclosed map shows the project area on the El Toro and Santiago Peak USGS 7.5' Quads, T5S, R7W, Sections 32 and 33.

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August 29, 2011

Sam Dunlap, Chairperson
Gabrielino Tongva Nation
P.O. Box 86908
Los Angeles, CA 90086

SUBJECT: Saddle Crest Homes EIR project - 211454

Dear Mr. Dunlap:

ESA is preparing an EIR for the proposed Saddle Crest Homes Project, Orange County. The Saddle Crest Homes project includes the development of 65 single family homes on lots with an average size of nearly 20,000 square feet, the majority of which would be building pads. Approximately 75 acres or 66 percent of the project site is proposed to remain open space (including remedial grading, revegetated areas, water quality basins, and fuel modification zones). The proposed project would be located on 113 acres in unincorporated Orange County north of the junction of Live Oak Canyon Road with El Toro Road and east of Santiago Canyon Road. The enclosed map shows the project area on the El Toro and Santiago Peak USGS 7.5' Quads, T5S, R7W, Sections 32 and 33.

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Madeleine Bray
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August 29, 2011

Anita Espinoza
Juaneno Band of Mission Indians
1740 Concerto Drive
Anaheim, CA 92807

SUBJECT: Saddle Crest Homes EIR project - 211454

Dear Ms Espinoza:

ESA is preparing an EIR for the proposed Saddle Crest Homes Project, Orange County. The Saddle Crest Homes project includes the development of 65 single family homes on lots with an average size of nearly 20,000 square feet, the majority of which would be building pads. Approximately 75 acres or 66 percent of the project site is proposed to remain open space (including remedial grading, revegetated areas, water quality basins, and fuel modification zones). The proposed project would be located on 113 acres in unincorporated Orange County north of the junction of Live Oak Canyon Road with El Toro Road and east of Santiago Canyon Road. The enclosed map shows the project area on the El Toro and Santiago Peak USGS 7.5' Quads, T5S, R7W, Sections 32 and 33.

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August 29, 2011

Sonia Johnston, Tribal Chairperson
Juaneño Band of Mission Indians
P.O. Box 25628
Santa Ana, CA 92799

SUBJECT: Saddle Crest Homes EIR project - 211454

Dear Ms Johnston:

ESA is preparing an EIR for the proposed Saddle Crest Homes Project, Orange County. The Saddle Crest Homes project includes the development of 65 single family homes on lots with an average size of nearly 20,000 square feet, the majority of which would be building pads. Approximately 75 acres or 66 percent of the project site is proposed to remain open space (including remedial grading, revegetated areas, water quality basins, and fuel modification zones). The proposed project would be located on 113 acres in unincorporated Orange County north of the junction of Live Oak Canyon Road with El Toro Road and east of Santiago Canyon Road. The enclosed map shows the project area on the El Toro and Santiago Peak USGS 7.5' Quads, T5S, R7W, Sections 32 and 33.

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August 29, 2011

Anthony Morales, Chairperson
Gabrielino/Tongva San Gabriel Band of Mission Indians
P.O. Box 693
San Gabriel, CA 91778

SUBJECT: Saddle Crest Homes EIR project - 211454

Dear Mr. Morales:

ESA is preparing an EIR for the proposed Saddle Crest Homes Project, Orange County. The Saddle Crest Homes project includes the development of 65 single family homes on lots with an average size of nearly 20,000 square feet, the majority of which would be building pads. Approximately 75 acres or 66 percent of the project site is proposed to remain open space (including remedial grading, revegetated areas, water quality basins, and fuel modification zones). The proposed project would be located on 113 acres in unincorporated Orange County north of the junction of Live Oak Canyon Road with El Toro Road and east of Santiago Canyon Road. The enclosed map shows the project area on the El Toro and Santiago Peak USGS 7.5' Quads, T5S, R7W, Sections 32 and 33.

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Archaeologist



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August 29, 2011

Joyce Perry, Representing Tribal Chairperson
Juaneno Band of Mission Indians Acjachemen Nation
4955 Paseo Segovia
Irvine, CA 92612

SUBJECT: Saddle Crest Homes EIR project - 211454

Dear Ms Perry:

ESA is preparing an EIR for the proposed Saddle Crest Homes Project, Orange County. The Saddle Crest Homes project includes the development of 65 single family homes on lots with an average size of nearly 20,000 square feet, the majority of which would be building pads. Approximately 75 acres or 66 percent of the project site is proposed to remain open space (including remedial grading, revegetated areas, water quality basins, and fuel modification zones). The proposed project would be located on 113 acres in unincorporated Orange County north of the junction of Live Oak Canyon Road with El Toro Road and east of Santiago Canyon Road. The enclosed map shows the project area on the El Toro and Santiago Peak USGS 7.5' Quads, T5S, R7W, Sections 32 and 33.

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August 29, 2011

Anthony Rivera, Chairman
Juaneno Band of Mission Indians Acjachemen Nation
31411-A La Matanza Street
San Juan Capistrano, CA 92675-2674

SUBJECT: Saddle Crest Homes EIR project - 211454

Dear Mr. Rivera:

ESA is preparing an EIR for the proposed Saddle Crest Homes Project, Orange County. The Saddle Crest Homes project includes the development of 65 single family homes on lots with an average size of nearly 20,000 square feet, the majority of which would be building pads. Approximately 75 acres or 66 percent of the project site is proposed to remain open space (including remedial grading, revegetated areas, water quality basins, and fuel modification zones). The proposed project would be located on 113 acres in unincorporated Orange County north of the junction of Live Oak Canyon Road with El Toro Road and east of Santiago Canyon Road. The enclosed map shows the project area on the El Toro and Santiago Peak USGS 7.5' Quads, T5S, R7W, Sections 32 and 33.

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August 29, 2011

Rebecca Robles
Unites Coalition to Protect Panhe (UCPP)
119 Avenida San Fernando
San Clemente, CA 92672

SUBJECT: Saddle Crest Homes EIR project - 211454

Dear Ms Robles:

ESA is preparing an EIR for the proposed Saddle Crest Homes Project, Orange County. The Saddle Crest Homes project includes the development of 65 single family homes on lots with an average size of nearly 20,000 square feet, the majority of which would be building pads. Approximately 75 acres or 66 percent of the project site is proposed to remain open space (including remedial grading, revegetated areas, water quality basins, and fuel modification zones). The proposed project would be located on 113 acres in unincorporated Orange County north of the junction of Live Oak Canyon Road with El Toro Road and east of Santiago Canyon Road. The enclosed map shows the project area on the El Toro and Santiago Peak USGS 7.5' Quads, T5S, R7W, Sections 32 and 33.

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August 29, 2011

John Tommy Rosas, Tribal Administrator
Tongva Ancestral Territorial Tribal Nation
tattnlaw@gmail.com

SUBJECT: Saddle Crest Homes EIR project - 211454

Dear Mr. Rosas:

ESA is preparing an EIR for the proposed Saddle Crest Homes Project, Orange County. The Saddle Crest Homes project includes the development of 65 single family homes on lots with an average size of nearly 20,000 square feet, the majority of which would be building pads. Approximately 75 acres or 66 percent of the project site is proposed to remain open space (including remedial grading, revegetated areas, water quality basins, and fuel modification zones). The proposed project would be located on 113 acres in unincorporated Orange County north of the junction of Live Oak Canyon Road with El Toro Road and east of Santiago Canyon Road. The enclosed map shows the project area on the El Toro and Santiago Peak USGS 7.5' Quads, T5S, R7W, Sections 32 and 33.

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August 29, 2011

Adolph Sepulveda, Vice Chairperson
Juaneno Band of Mission Indians
P.O. Box 25828
Santa Ana, CA 92799

SUBJECT: Saddle Crest Homes EIR project - 211454

Dear Mr. Sepulveda:

ESA is preparing an EIR for the proposed Saddle Crest Homes Project, Orange County. The Saddle Crest Homes project includes the development of 65 single family homes on lots with an average size of nearly 20,000 square feet, the majority of which would be building pads. Approximately 75 acres or 66 percent of the project site is proposed to remain open space (including remedial grading, revegetated areas, water quality basins, and fuel modification zones). The proposed project would be located on 113 acres in unincorporated Orange County north of the junction of Live Oak Canyon Road with El Toro Road and east of Santiago Canyon Road. The enclosed map shows the project area on the El Toro and Santiago Peak USGS 7.5' Quads, T5S, R7W, Sections 32 and 33.

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telephone notes

project	Saddle Crest	project no.	211454
date	September 1 2011	time	10:00 AM
present	Robert Dorame, Madeleine Bray		
route to			
contact	Robert Dorame		
title	Tribal Chair, Gabrielino Tongva Indians of California Tribal Council		
agency			
phone			
subject	Saddle Crest Homes EIR project		
action required			

Robert called regarding the Saddle Crest Homes project. He asked if we were doing a survey for the project, because he is familiar with the area and thinks it's very sensitive. He said that he knows of a Native American family who used to live in that area, and he wanted to talk to them and gather some information and pass that on to us for our use in the cultural resources study. He said he'd get back to me in a few weeks with that information.



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telephone notes

project	Saddle Crest	project no.	211454
date	September 22, 2011	time	3:36 PM
present			
route to			
contact	Alfred Cruz		
title	Cultural Resources Coordinator, Juaneño Band of Mission Indians		
agency			
phone			
subject	Saddle Crest Homes EIR project		
action required			

Mr. Cruz left a voicemail on September 22, 2011 requesting that more information on the project, including records search results, be sent to him by email. A detailed project description and a summary of the cultural resources records search and survey results were sent to him by email on September 26, 2011.

Appendix C

DPR Forms (Confidential)

Appendix D

Resource Location Map

(Confidential)